

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

BILLY RAY TRATREE,)
Plaintiff))

vs.)

NO. H-03-954

JURY

BP PIPELINES (NORTH)
AMERICA), INC.,)
Defendant)

COPY

ORAL VIDEOTAPED DEPOSITION

BILL WHITE

January 14, 2009

ORAL VIDEOTAPED DEPOSITION OF BILL WHITE, produced as a witness at the instance of the Plaintiff and duly sworn, was taken in the above-styled and numbered cause on the 14th day of January, 2009, from 10:34 a.m. to 12:20 p.m., before Susan A. Waldrip, Certified Shorthand Reporter in and for the State of Texas, reported by computerized stenotype machine at the offices of Reed and Reed, 201 North McKinney Street, Mexia, Texas, pursuant to the Federal Rules of Civil Procedure and the provisions stated on the record or attached hereto.

Susan A. Waldrip Reporting
1-800-949-7984

**DEFENDANT'S
EXHIBIT**

tabbies

Direct Examination by Ms. Emily Frost

Q Was Mr. Tratree a good employee for BP --

MS. OATHOUT: Objection; form.

Q (BY MS. FROST) -- in your opinion?

A In my opinion? Ray was -- uh -- a great employee to work with.

Q Was he well qualified to do the work that he was doing?

MS. OATHOUT: Objection; form.

THE WITNESS: So clarify this. You're saying "form"?

MS. OATHOUT: I'm saying there's something wrong with the question, and the judge will rule on that later, but you still go ahead and answer.

THE WITNESS: Okay. I'm glad.

MS. OATHOUT: I don't get to instruct you.

THE WITNESS: Okay. Answer the question again -- ask the question again.

Q (BY MS. FROST) Was Mr. Tratree well qualified to do the work he was doing?

A Okay. No, Ray Tratree did a very good job. He was one of the best measurement specialists we'd ever had in the area.

Q In the 2000 and 2001 time frame, who was getting more training at BP, Grayson Williams or Ray Tratree?

MS. OATHOUT: Objection; calls for speculation.

THE WITNESS: In my own judgment, Grayson, probably due to his own initiative and drive, I guess, for survival was -- uh -- probably getting more training.

Direct Examination by Ms. Emily Frost

1 Q (BY MS. FROST) Do you know why Grayson Williams was
2 getting more training?

3 MS. OATHOUT: Objection.

4 THE WITNESS: That would be almost speculation on my
5 part.

6 Q (BY MS. FROST) Okay. So you don't have any personal
7 knowledge of why he was getting more training?

8 A Well, I -- like I say, I've made assumptions that he
9 may have felt his job was in jeopardy or something like that, and
10 he needed to be better trained.

11 Q And how do you know that Grayson Williams was getting
12 more training? What did you, personally, observe?

13 MS. OATHOUT: Same objection.

14 THE WITNESS: My personal observation was he was in a
15 position, because of his work, that he could make more trips down
16 to Texas City to receive training.

17 Q (BY MS. FROST) So was it your observation that he was
18 -- uh -- going to Texas City a lot for training?

19 A Towards the end he was going there a lot, yes. At
20 least I hope that's what he was going there for.

21 Q Uh -- and did Mr. Tratree complain about not getting
22 training?

23 MS. OATHOUT: Objection; calls for speculation.

24 THE WITNESS: Well, he complained to me about not
25 getting training or the difficulties in being able to get

1 training.

2 Q (BY MS. FROST) Did you hear Mr. Tratree complain to
3 Roy Bowden about not getting training?

4 A This is one of those situations where it would -- I
5 don't remember clearly, but it would seem like he did.

6 Q You stated earlier that Grayson Williams could go get
7 training more because of his job compared to Ray's. What did you
8 mean by that?

9 MS. OATHOUT: Objection; misstates the witness'
10 testimony.

11 THE WITNESS: Okay. Well, due to his position, he had
12 more free time than Ray did. Ray was scheduled pretty tight.

13 Q (BY MS. FROST) So in other words, Grayson Williams had
14 more opportunity for training than Mr. Tratree?

15 MS. OATHOUT: Objection; misstates the witness'
16 testimony.

17 THE WITNESS: I wouldn't say opportunity. He just,
18 like I say, he would -- uh -- I'd find out he was gone. He was
19 gone to Texas City to get training, and I had to go out and do
20 his line locates.

21 Q (BY MS. FROST) As a measurement -- uh -- specialist,
22 could Mr. Tratree leave that often and go to Texas City like
23 Grayson Williams?

24 MS. OATHOUT: Objection; calls for speculation, is
25 vague and overbroad.

1 THE WITNESS: Well, Ray had scheduled -- he had to meet
2 people at certain times, he had to prove meters at certain times.
3 When he proved meters, he had to set up with other companies so
4 their witnesses could be there. He had his regular meter checks,
5 and he'd keep all of his, you know, records proper and clear, and
6 -- uh -- like I say, that -- his duties, a lot of the times, got
7 in the way.

8 Q (BY MS. FROST) Were there times that Mr. Tratree would
9 reschedule his work so that he could be available for training,
10 and then the trainer wouldn't show up?

11 A Yes, that happened.

12 Q Do you know if the trainer who didn't show up was the
13 same trainer who told him that Grayson was a prio -- priority for
14 training?

15 MS. OATHOUT: Objection; assumes facts not in evidence,
16 calls for speculation.

17 Q (BY MS. FROST) Do you know if it was John Kelly who
18 didn't show up for training?

19 A I think it would have been an instance with John Kelly
20 and possibly an instance -- and an instance with Mike Cunningham.

21 Q Was this fair to Mr. Tratree?

22 MS. OATHOUT: Objection; vague, overly broad.

23 Q (BY MS. FROST) In your opinion?

24 MS. OATHOUT: Same objection.

25 THE WITNESS: Was it fair in my opinion? No. But the

1 way things work, everybody has more than, you know, one thing to
2 do. They have larger duties or whatever you want to call it, and
3 sometimes incidences happen.

4 MS. FROST: Object to everything after "no" as
5 nonresponsive.

6 THE WITNESS: Okay.

7 MS. FROST: That's just for the record. It's not --
8 nothing you need to worry about.

9 Q (BY MS. FROST) Why did you leave BP?

10 A Uh -- I left BP because they sold their interest in
11 Seaway Pipeline.

12 Q Sorry. Let me clarify. Why did you leave the -- the
13 job working with Mr. Tratree and Mr. Williams on the line from
14 Mexia to Hufsmith?

15 A Because I was told I was -- my job was going to be done
16 away with and relocated to the -- somewhere in the Houston area
17 probably.

18 Q Tell us how that happened.

19 A I was called to a meeting that I didn't want to go to
20 on the -- probably a team meeting, I guess, that I didn't really
21 want to go to, wasn't real thrilled about. I had other things to
22 do, but they drug me down to Texas City on a pretense, and then
23 took me into Kelly Gleason's office and asked me, well, basically
24 told me, "Well, we know the rumors are out there. You pretty
25 well know what's going to happen to you. Your job is going to be

1 done away with, and we've built another job down south," and you
2 will be -- "We want to know what you're going to do." You know,
3 "What are you going to do?"

4 Q This was Kelly Gleason saying this to you?

5 A Well, pretty much. It was just, "What are you going to
6 do? That's why we brought you down here. We want to know, what
7 are you going to do?" And I told him that, you know, due to
8 finances, I guess, and everything else, I really couldn't afford
9 to relocate, and I would probably just, I guess, what you call
10 play the game, so to speak, and I just had a few more months
11 before I'm 50 years of age, and then I'll, you know, lock in my
12 medical, and you know, some -- some of my retirement and just
13 have to leave.

14 Q So this conversation happened shortly before you were
15 to turn 50?

16 A Uh -- yes.

17 Q So that would have been shortly before June of 2001?

18 A I suppose so.

19 Q And why was it important to you to make it to age 50?

20 A To make it to 50? Well, it was, you know, to actually
21 be able to have health insurance and to -- uh -- get, like I say,
22 some money out of it after working, you know, X number of years,
23 get some form of retirement benefit.

24 Q Were those things not available to you before you
25 turned age 50?

MS. OATHOUT: Objection; form.

THE WITNESS: Oh, before I turned 50, you know, to get medical insurance, I would -- if I left BP, I would probably have to -- uh -- you know, go to some outside provider, and to get -- prior to 50, I don't think they -- uh -- there was any way you could get any of your retirement prior to 50. I think that was the earliest date you could pull any of it in.

That was, like, probably -- I don't need to speculate on this, because I don't know -- but it would be, like, probably half of it, what you would normally get or something. It was a very small amount of value, but it was something.

Q (BY MS. FROST) You mentioned earlier that you were brought into Texas City on a pretense. What did you mean by that?

A I just -- oh, I -- they're just saying that I needed to be down here for this meeting, and it's imperative that I be there and whatever else it was, and really the reason they wanted me down there was to, you know, find out what I was going to do.

Q So you felt that -- who was it that called you to Texas City, by the way?

A It may have been -- I don't know. It would be a guess. I would say Roy Bowden said I needed to be there.

Q And you felt like Roy Bowden wasn't totally honest with you about the reasons you needed to be there?

A Uh -- in the long run it really didn't matter.

Bill White - January 14, 2008
Cross-Examination by Ms. Monica Oathout

1 A I'll try to simplify this. Uh -- I spent a couple of
2 years in Longview. There I did a lot of relief work. I proved
3 meters, I did station -- took care of station operations -- uh --
4 I performed relief work, I drove the big truck, operated a
5 backhoe, just this pipeline here, I worked with welders, we did
6 just the -- I worked with the technicians there, and working with
7 the technicians there, they seemed to think I had a certain gift
8 in that area.

9 Of course, working with measurement people, they seemed
10 to think the same thing, but due to the age of the people, there
11 was no room for advancement there, so I -- uh -- bid to Houston
12 and worked down there for a couple of years in the technical
13 field, kind of almost technical trainee, but really I don't think
14 they had a training position down there. It was just a Tech III
15 position is what it was, as much as anything else.

16 Uh -- worked a couple of years down there, and like I
17 say, did training in the chemicals end, and just the -- and the
18 products end, crude end, whatever you want to call it, just lump
19 them all together, and then a position opened up in Mexia, and I
20 transferred up there.

21 Q What year was that?

22 A Probably '78. Went up to there and worked a number of
23 years there. Of course, went up -- soon as I got up there,
24 within about three or four weeks, I went up to Tech II, and I was
25 kind of happy with that position. I really felt comfortable

1 there, but -- uh -- eventually I got in a -- it was many years
2 later. I can't -- it was '87 or something I got in a wr -- no,
3 it was '82 I got in a wreck, and they were looking at manpower
4 and everything else, and I was out of the position, so they said,
5 "Due to the amount of work on the line, I think we'll give all
6 the work load over to the Bowie group," and they came on down and
7 started working on the Mexia area.

8 And I went to Longview when another hand retired over
9 there, and basically commuted for about five years until they --
10 until they started running out of -- uh -- experienced people on
11 the Central Texas line, which is the Mexia line -- and this is a
12 whole lot more detail than I think you need -- but anyway, the
13 gist of it is I was -- I went ahead and -- uh -- finished
14 training and went on up to Tech -- Tech I and bid back to Mexia.

15 Q What year was that?

16 A I would say '87.

17 Q Okay.

18 A I'm really lousy on dates.

19 Q Okay. And then after 1987, take me through what
20 positions you held. Did you stay in Mexia?

21 A I stayed in Mexia from -- from then on as a -- uh --
22 Tech I, and as they came up with -- the company came up with
23 -- uh -- cross training and stuff like that, and as soon as it
24 became available-- uh -- it was an increase in pay rate and just
25 a change in position. I'd still be doing the same thing, so went

1 ahead and trained on up and got the money out of it.

2 Q And so you tr -- you -- just very briefly tell me, you
3 went from a Tech I to what?

4 A MS-I.

5 Q Anything in between?

6 A Don't believe so.

7 Q Okay. So you, during your 30 years with the company,
8 you started out with --

9 A Yeah. I think I got -- I'm thinking right. It's close
10 enough.

11 Q Okay. Started out with Longview, moved to Houston,
12 moved to Mexia, moved back to Longview and back to Mexia; is that
13 correct?

14 A Correct.

15 Q Now, why were you willing to go to Longview for five
16 years in -- from 1982 to 1987?

17 A Well, I came back from the wreck. I just -- there was
18 an open position in Mexia for -- on a equipment operator, so I
19 went into -- okay. So I forgot something else. But I went into
20 that position for a while and drove the big truck and operated
21 the backhoe, but that really just was not my thing.

22 Q So you wanted to go to where the work was?

23 A I went to the job.

24 Q Okay. Why are you willing to go to the job?

25 A Why am I willing? Because driving and trucking and

1 digging holes is not my thing.

2 Q Okay. And it made financial sense to do it?

3 A Well, yeah, it -- uh -- made financial sense, to say
4 the very least. It was -- gets me, you know, back to my regular
5 rate of pay and, you know, gives you an opportunity for, you
6 know, moving on forward just a little bit more.

7 Q How many miles, if you know, is Longview --

8 A It was 150 miles over there.

9 Q Did you have an -- place to live in Longview or did you
10 keep your home?

11 A Well, I was very fortunate that my -- when I had lived
12 in Longview, my parents had come to visit me. They fell in love
13 with the town, so they bought a house, and we just made
14 arrangements where I kind of did the maintenance on the house and
15 kept the yard up and everything else during the week when I was
16 there, and then I just, when the end of the work week was there,
17 shoo, I was home, so they had to put up with me for four days,
18 and then it was over with.

19 Q During all of these years with Amoco and then later
20 BP --

21 A Uh-huh.

22 Q -- uh -- Mr. White, were you a member of a union?

23 A Yes.

24 Q Were you ever a Union steward?

25 A Yes.

REDIRECT EXAMINATION

BY MS. FROST:

Q Did you ever discuss sharing a living area with Ray Tratree if your jobs were relocated?

A I don't particularly remember, but there's a high possibility that I did.

Q And what was that in connection with?

MS. OATHOUT: Objection. He says he doesn't remember.

Q (BY MS. FROST) Why do you say there was a high possibility you did?

A Well, if it turned out that -- uh -- I had to, you know, try to make it to 50 in order to get some of my retirement, it means I might have to work at a position, you know, down -- down in the Houston area someplace, so I would, like, take -- take a position and hold it until I reached my goal, and then -- well, have to have a place to stay. I don't want to travel back and forth all day long.

Q And why would you -- uh -- share -- why would you contemplate sharing a living area with Ray Tratree?

MS. OATHOUT: Objection; form.

THE WITNESS: Well --

MS. OATHOUT: Asked and answered.

Q (BY MS. FROST) What would be the benefits of it?

A Splitting, I mean, splitting expenses.

Q Pardon me. To save money?

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FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

BILLY RAY TRATREE,)
Plaintiff))

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NO. H-03-954

JURY

BP PIPELINES (NORTH)
AMERICA), INC.,)
Defendant)

REPORTER'S CERTIFICATE

I, the undersigned Certified Shorthand Reporter in and for the State of Texas, hereby certify pursuant to the Federal Rules of Civil Procedure the following:

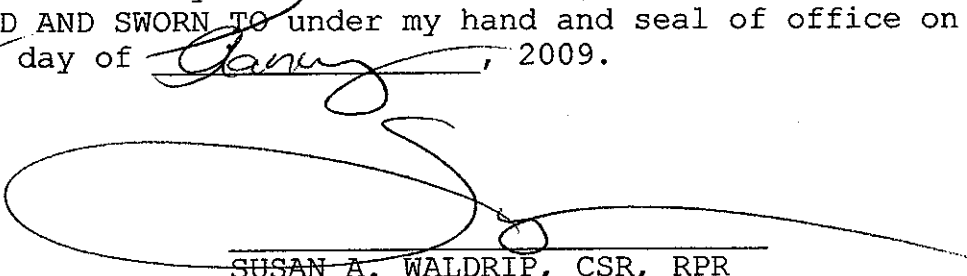
That on the 14th day of January, 2009, the Oral Videotaped Deposition of Bill White was taken by me; the witness was first duly sworn by me; the foregoing transcript is a true copy of the testimony given by the witness.

That examination and signature of the witness to the deposition transcript was waived by the witness and agreement of the parties at the time of the deposition;

That a copy of this deposition, together with copies of all exhibits, if any, was forwarded to Ms. Emily Frost for safekeeping and use at trial.

A copy of this certificate has been served on all parties or their attorney.

SUBSCRIBED AND SWORN TO under my hand and seal of office on this the 25 day of January, 2009.


SUSAN A. WALDRIP, CSR, RPR
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Expiration: 12/31/10
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Cost:
To be paid by: Ms. Emily Frost

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